

ISMAIL J. RAMSEY (CABN 189820)
United States Attorney

MARTHA BOERSCH (CABN 126569)
Chief, Criminal Division

JONATHAN U. LEE (CABN 148792)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-7200
FAX: (415) 436-7234
Jonathan.Lee@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	NO. CR 3:23-MJ-70840 MAG
Plaintiff,)	
v.)	STIPULATION TO CONTINUE PRELIMINARY
)	HEARING DATE AND EXCLUDE TIME AND
)	[PROPOSED] ORDER
ADRIAN WEBB,)	
Defendant.)	
)	
)	
)	

The United States, by and through its counsel Assistant United States Attorney Jonathan Lee, and defendant Adrian Webb, by and through his counsel Ed Swanson, hereby stipulate that the preliminary hearing in this matter currently set for Wednesday, January 8, 2025 be continued to Monday, January 13, 2025 at 10:30 a.m.

The parties are engaged in ongoing discussions regarding the case and require additional time to complete those discussions, including regarding whether indictment is necessary.

For purposes of computing the date under Rule 5.1 of the Federal Rules of Criminal Procedure for preliminary hearing and the date under the Speedy Trial Act by which defendants must be charged

1 by indictment or information, the parties agree that the time period of January 8, 2025 through January
2 13, 2025 should be excluded pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (h)(7)(B)(i) and (h)(7)(B)(iv).
3 The parties stipulate that: (i) the ends of justice served by the continuance outweigh the best interest of
4 the public and defendant in the filing of an information or indictment within the period specified in 18
5 U.S.C. § 3161(b); and (ii) failure to grant the continuance would unreasonably deny defense counsel the
6 reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

7 Nothing in this stipulation shall preclude a finding that other provisions of the Speedy Trial Act
8 dictate that additional time periods be excluded from the period within which an information or
9 indictment must be filed.

10 IT IS SO STIPULATED.

11
12 DATED: January 7, 2025

/s/

JONATHAN U. LEE
Assistant United States Attorney

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14
15 DATED: January 7, 2025

/s/

ED SWANSON
Swanson & McNamara LLP
Counsel for Adrian Webb

[PROPOSED] ORDER

The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates facts that support a continuance in this matter and provides good cause for a finding of excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161, as well as to waive the timing for preliminary hearing under Rule 5.1 of the Federal Rules of Criminal Procedure.

The Court further finds that: (i) the ends of justice served by the continuance outweigh the best interest of the public and defendant in the filing of an information or indictment within the time period set forth in 18 U.S.C. § 3161(b); and (ii) failure to grant the continuance would unreasonably deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

THEREFORE, FOR GOOD CAUSE SHOWN:

The hearing for preliminary hearing or an arraignment on an information in this matter is continued to 10:30 a.m. on January 13, 2025. The time from January 8, 2025 through January 13, 2025, inclusive, is excluded in computing the time within which an information or indictment must be filed under 18 U.S.C. § 3161(b) pursuant to the provisions of 18 U.S.C. §§ 3161(h)(7)(A), (h)(7)(B)(i), and (B)(iv). Nothing in this Order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excluded from the period within which an information or indictment must be filed.

IT IS SO ORDERED.

DATED: _____

HONORABLE PETER H. KANG
United States Magistrate Judge